

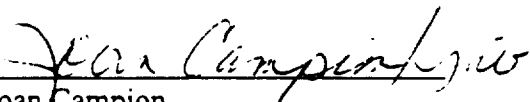
II. IntraLATA Toll Dialing Parity Plan

MCI urges the Commission to find that Ameritech Michigan's Plan is not in compliance with the Commission's Orders in Case Nos. U-10138, the MTA, the Act, the FCC Order or the rules. MCI would note that at the time of its filing, Ameritech's Michigan was acting in direct violation of the Commission's Orders in Nos. U-10138, and an order of the Ingham County Circuit Court granting a request for mandamus and requiring compliance with the Commission's orders and implementation of intraLATA dialing parity. Although a stay has subsequently been issued, MCI believes that the Commission's Orders in U-10138 will ultimately be upheld and urges the Commission not to conclude that Ameritech Michigan's latest attempt to avoid its legal obligations is consistent with the Commission's previous orders, the MTA, the Act or the FCC Order.

WHEREFORE, MCI urges the Commission to reject Ameritech Michigan's request for relief and issue an order consistent with this response.

Respectfully submitted,

MCI Telecommunications Corporation

By: 
Joan Campion
205 North Michigan Avenue
Suite 3700
Chicago, IL 60601
(312) 470-4943

Dated: December 19, 1996

LA\15905
ID\AE

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION


* * * * *

In the matter, on the Commission's own motion,)
to consider Ameritech Michigan's compliance)
with the competitive checklist in 271 of Section)
the Telecommunications Act of 1996.)
_____)

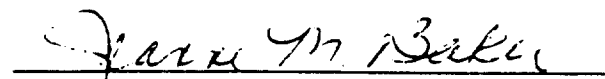
Case No. U-11104

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Sara C. Devine, being first duly sworn, deposes and says that on the 19th day of December, 1996, she caused to be served upon the persons listed in the attached Service List, copies of the Response of MCI Telecommunications Corporation Compliance Filing and Request for Approval of Plan on IntraLata Toll Dialing Parity in the above-referenced matter, by placing said copies in envelopes addressed to each person listed on the Service List and, with postage fully prepaid thereon, deposited said envelopes in a United States mail receptacle.


Sara C. Devine

Subscribed and sworn to before me this 19th day of December, 1996.


Jeanne M. Baker, Notary Public
Ingham County, Michigan
My commission expires: 6/19/01

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Jean Marsh
Attorney

Suite 1300
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Chicago, IL 60606
312 330-2883

December 19, 1996

MICHIGAN PUBLIC SERVICE
FILED

DEC 19 1996

COMMISSION

Ms. Dorothy Wideman
Executive Secretary Division
Michigan Public Service Commission
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909

Dear Ms. Wideman:

RE: Case No. U-11104

Enclosed for filing in the above referenced case is the original and fifteen (15) copies of AT&T Communications of Michigan, Inc.'s Reply Comments to Ameritech Michigan's Compliance Filing and Request for Approval of Plan on IntraLata Toll Dialing Parity.

Sincerely,

Jean Marsh
(+)

Enclosures



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DEC 23 1996

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,)	
to consider Ameritech Michigan's compliance)	Case No. U-11104
with the competitive checklist in Section 271)	
of the Telecommunications Act of 1996.)	
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**AT&T'S REPLY COMMENTS TO AMERITECH MICHIGAN'S
COMPLIANCE FILING AND REQUEST FOR APPROVAL
ON PLAN OF INTRALATA TOLL DIALING PARITY**

AT&T hereby files comments in reply to Ameritech Michigan's "Compliance Filing and Request for Approval of Plan on IntraLATA Toll Dialing Parity," filed on November 27, 1996.¹

INTRODUCTORY REPLY COMMENTS

Ameritech's intraLATA toll dialing parity "compliance" filing defies explanation. On November 27, 1996 -- the date the "compliance" filing was submitted -- Ameritech was in contempt of Orders from both this Commission and the Ingham County Circuit Court requiring Ameritech to implement intraLATA toll dialing parity throughout the

¹ Although AT&T is submitting these comments in reply to issues raised by Ameritech's submission, AT&T, as an "interested party," is "not limited to filing responses to Ameritech Michigan." See MPSC August 28, 1996 Order, Case No. U-11104, p. 3. Indeed, interested parties have been invited by the Commission to file information relevant to this docket at any time. Because AT&T's analysis of the issues raised by the Commission in this docket is currently incomplete, AT&T hereby reserves the right to submit, at a later time, additional information that may be responsive to the issues outlined in Attachments A and B to the August 28 Order.

State of Michigan. Despite a finding by this Commission that intraLATA toll dialing parity was necessary for effective local competition, and despite the fact that Ameritech had been ordered to implement full intraLATA dialing parity in most of its exchanges in Michigan no later than, July 26, 1996, as of the date Ameritech's "compliance" filing only 10% of Ameritech Michigan's customers had a choice of competitors for 1+ intraLATA toll calling. The violation of valid Commission Orders cannot equate to "compliance" under any possible standard.

Even more remarkable, as part of its "compliance" filing Ameritech proposed an alternative implementation schedule -- one that was inconsistent with and contrary to the dialing parity policies and schedules previously established by this Commission. By proposing this new plan, Ameritech's conduct moved far beyond flagrant disobedience of standing Commission Orders.² Under the guise of satisfying the requirements of Section 271 of the federal Telecommunications Act, Ameritech submitted an alternative schedule that not only wholly ignored the competitive policies articulated by this Commission it also deferred full compliance with the Commission's dialing parity implementation schedule until 10 days prior to Ameritech's exercise of interLATA authority. This flies in the face of the Commission's conclusion that intraLATA toll dialing parity should not be linked to or dependent upon Ameritech's receipt of interLATA authority. Ameritech has attempted to justify its failure to implement dialing parity on a faulty interpretation of Section 312b of the Michigan Telecommunications Act. However, even if Ameritech's

² Notably, Ameritech's compliance filing was submitted two days before the Michigan Court of Appeals entered an Emergency Stay of Commission Orders addressing the implementation of 1+ toll dialing parity.

argument regarding the interpretation of Section 312b of the MTA were correct (which AT&T vehemently disputes), approval of the new implementation schedule proposed by Ameritech will likely result in pushing the actual date that full dialing parity is made available to Michigan consumers even beyond July 31, 1997, the expiration date of Section 312b under the "sunset" provisions of the MTA. Thus, it would appear that under the guise of "compliance" with Commission policy, Ameritech is actually seeking to obtain Commission approval to further delay implementation of full dialing parity beyond the date when Ameritech will lose its statutory "excuse" for failing to follow the existing Commission Orders on the subject. Indeed, given the pro-competition policies established by the Commission in the dialing parity dockets, Ameritech's unilateral alternative proposal should be flatly rejected.

The competitive checklist found in Section 271 identifies the minimum conditions that a Bell Operating Company such as Ameritech Michigan must satisfy before it can provide interLATA services. Section 271 is designed to give Ameritech incentives to provide CLECs like AT&T access and interconnection to its local exchange networks. Section 271 is not a license to ignore the substantial body of authority that this Commission has established in an effort to foster local competition in the State of Michigan. Moreover, the checklist requirements of Section 271 do not pre-empt or usurp, in any way, the force or effectiveness of valid Commission Orders or the requirements of state law.

At the time Ameritech submitted its "compliance" filing, it was in direct violation of valid Commission Orders on intraLATA toll dialing parity. Until the issues related to

Ameritech's failure to fully implement 1+ toll dialing parity in accordance with the Commission's Orders are finally resolved, Ameritech should not be deemed to be in "satisfactory compliance with the Commission's policy regarding intraLATA toll dialing parity."

SPECIFIC REPLY COMMENTS

a. **Is Ameritech Michigan providing intraLATA dialing parity in Michigan on a statewide basis.**

AT&T's Reply Comments: No. Despite this Commission's previous decisions and Orders regarding the competitive benefits to be achieved through implementation of statewide intraLATA toll dialing parity, Ameritech has failed and refused to provide its Michigan consumers with the ability to make a choice in the intraLATA toll marketplace. After a protracted series of appeals (discussed in more detail in the reply comments filed by AT&T in this docket on December 4, 1996), Ameritech's continuing failure to comply with the Commission's intraLATA dialing parity Orders is now pending before the Supreme Court of the State of Michigan. A copy of AT&T's submission to the Supreme Court will be filed in this docket under separate cover.

b. **Is Ameritech Michigan providing local dialing parity in Michigan on a statewide basis?**

AT&T's Reply Comments: No. Ameritech is not currently offering competing providers with nondiscriminatory access to such services and information as are necessary to allow the requested carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3). The primary deficiencies are the result of Ameritech's failure to offer comprehensive interim number portability solutions.

Local dialing parity is possible, in part, because of number portability. Under the interim number portability solutions currently offered by Ameritech, however, CLECs

like AT&T can offer local dialing parity to only some of their customers. Ameritech is currently offering only two number portability solutions in Michigan -- DID (direct inward dialing) and RCF (remote call forwarding). Neither of these two options can be effectively used to provide number portability to large switched-based business customers. These customers can be served only by the use of more sophisticated number portability solutions such as Route Indexing, a solution which has been found to be technically feasible. But Ameritech has refused AT&T's request to provide Route Indexing in Michigan. Thus, until an effective permanent number portability solution is achieved, Ameritech cannot be said to be providing complete local dialing parity in the State of Michigan.

c. **Does Ameritech Michigan have any Commission, state court, federal court, Federal Communications Commission, or legislative action pending related to the provision of intraLATA dialing parity and local dialing parity? If yes, supply copies of Ameritech Michigan's or any of its affiliates' pleadings or proposals related thereto. If state or federal courts have issued orders related to intraLATA dialing parity or local dialing parity, provide copies of those orders.**

AT&T's Reply Comments: Yes. See, AT&T's discussion of the proceedings related to Ameritech's failure to comply with the Commission's intraLATA dialing parity orders in AT&T's Reply Comments, filed in this docket on December 4, 1996.

The documents, pleadings and orders related to these proceedings, which are extensive, were previously provided to the Commission, its counsel and all other parties

of interest. In the interest of not unnecessarily burdening this docket, additional copies will be provided upon request.

d. If statewide intraLATA dialing parity is not being offered, is the necessary equipment deployed to provide intraLATA dialing at the same time as Ameritech Michigan or any of its affiliates is permitted to offer interLATA service? For the purpose of this question, such preparedness means actually providing the service, not simply taking orders.

AT&T Reply Comments: Ameritech in its Compliance filing states that it has deployed the necessary equipment to provide intraLATA dialing parity and, "in any event, no later than the time that Ameritech Michigan or any of its affiliates is permitted to offer interLATA service." (p. 8) AT&T has no way of ascertaining if indeed the equipment has been deployed as Ameritech claims. However, AT&T would point out that, effective January 1, 1997, Ameritech will begin recovering the costs associated with the implementation of intraLATA presubscription. (See MBT Tariff No. 20R, Part 21, Section 2, paragraph 6.1.3.) To AT&T's knowledge, Ameritech has not demonstrated that the costs being recovered have, in fact, actually been incurred as of January 1, and would argue that Ameritech's own submission would bring this into question.

Additionally, AT&T is attaching a newsletter discussing a problem associated with a customer's wish to presubscribe to Ameritech for intraLATA toll service, while receiving local service from another carrier. This attachment is intended to point out uncertainties associated with the actual provision the service.

Dated: December 19, 1996

Respectfully submitted

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Attorneys for AT&T Communications of Michigan, Inc.

MCTPA Michigan Competitive Telecommunications Providers Association Network

A periodic update on competition in Michigan's telecommunications industry

September, 1996

AMERITECH SAYS "NO" TO COMPETITION!

The doors to competition and choice for phone customers, poised to swing open on July 26, were suddenly slammed shut when Ameritech defied a Michigan Public Service Commission (MPSC) order to give customers choice in who they want to use for their intra-LATA phone calls.

The MPSC had ordered Ameritech to provide its customers with "dial-one parity" in 82 percent of its exchanges starting July 26, with most of the rest phased in by the end of 1996.

Instead, Ameritech has thumbed its nose at the MPSC, announcing it would cut certain access fees for intra-LATA calls made by customers who dial a five-digit access code. Since only a handful of customers go through that arduous process, virtually no consumers will benefit from Ameritech's action and true competition will continue to be blocked.

"Ameritech's decision ... to reduce access fees rather than offering Michigan customers in 82 percent of its exchanges a choice for local toll service is anti-competitive behavior at its worst," said Ray O'Connell, AT&T public relations vice president for the Central states. "It is a blatant and obvious attempt to sidestep the intent of last month's order by the MPSC."

Dial-1 parity: Means a phone customer can select any company they wish to handle all of their long-distance calls, including those in their area codes, without having to dial a special five-digit code before dialing 1-then the area code-then the number. That's impossible in 90 percent of Michigan today.

Meanwhile, Ameritech's Chairman and Chief Executive Officer, Richard C. Notebaert, has been portraying the reduction in access fees as a move to help foster competition. In an interview, Notebaert hypes the monopoly's decision to lower "access charges" but neglects to say that this reduction in access fees was ordered by the MPSC as the penalty for denying customers dial-one choices.

"Ameritech is attempting to block competition and deny customers a choice by trying to do everything it can to hold on to its monopoly of local toll service in Michigan," said O'Connell. "We are urging the MPSC to ... enforce its standing order that the company give Michigan consumers and businesses a real choice for local toll providers."

AMERITECH CHARGES COMPANY FOR LEAVING

Not only do customers have to pay Ameritech to use its services, today Ameritech is charging people for not using its services.

This situation has happened to a west Michigan company that wanted to switch its local telephone provider from Ameritech to Brooks Fiber Communications, one of the few non-monopoly companies that have been trying to offer both local and long-distance service in Michigan.

According to Marty Clift, president of Brooks Fiber Communications, the business customer wanted to drop Ameritech's local service and switch to Brooks Fiber, while continuing to use

Ameritech for intra-LATA calls (short haul long-distance calls generally made within a caller's area code). Ameritech, unhappy with this maneuver, decided that the customer would have to pay a termination penalty of \$2,900 for switching to Brooks Fiber.

Even though the customer was going to continue using Ameritech for its intra-LATA service, Ameritech felt it should penalize and fine the customer for not using all the services it provides. This is yet another example of Ameritech attempting to prevent fair and open competition from occurring in Michigan's telecommunications industry and is contrary to the intent of the Michigan law which requires the unbundling of services.

ARBITRATION NEEDED TO FURTHER NEGOTIATIONS

After months of negotiation aimed at opening local phone service to competition, MCI and AT&T have been forced to ask the MPSC to arbitrate the unresolved issues in the companies' ongoing negotiations with Ameritech.

Ameritech has refused to negotiate fruitfully on a variety of key issues that would finally allow local consumers to have real choices in the phone service they have — choices that the Michigan Legislature said it wanted them to have when it passed the Michigan Telecommunications Act last year.

After six months of foot-dragging by monopoly giant Ameritech, MCI and AT&T hope that binding arbitration will finally result in an agreement that will allow them to interconnect customers.

"What we want to do is be able to compete fairly and effectively," said Joan Campion, regional director of MCI. "The only way we can do that ... is for

Ameritech to comply with the MPSC order."

The decision in this proceeding will be the single most important determinant of if, when, and how broadly across Michigan consumers will enjoy the choices in local telecommunications service that they have long enjoyed in long-distance. Since 1984, the price of an average long-distance call has plummeted by almost 70 percent. Michigan consumers would likely see similar dramatic reduction once the Ameritech monopoly ends.

"The outcome of arbitration will do more than simply set the terms under which AT&T competes with Ameritech," said Bonnie Manzi, AT&T vice president of local services. "It will also determine whether customers really will have a true choice in the local service market."

Among the issues still unsettled after months of discussion: pricing, service quality, branding and various operational details. MCI and AT&T would like to continue negotiations with Ameritech throughout arbitration to resolve as many issues as possible outside the arbitration process. It remains to be seen whether Ameritech can be as cooperative.

THANKS FOR READING MCTPA NETWORK

This is our fifth edition of MCTPA NETWORK. MCTPA was formed to bring about true competition in the telecommunications market.

Questions? Please call Richard McLellan, chairman of MCTPA, at 517-374-9100, by fax at 517-374-9191, or Internet address, 5634154@mcimail.com.


STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,)
to consider Ameritech Michigan's compliance)
with the competitive checklist in Section 271)
of the Telecommunications Act of 1996)

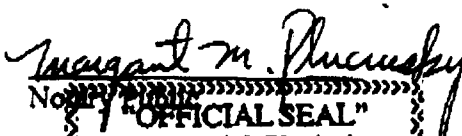
Case No. U-11104

PROOF OF SERVICE

I, Paulette Bannack, certify that a true and correct copy of AT&T Communication of Michigan, Inc.'s, Reply Comments to Ameritech Michigan's Compliance Filing and Request For Approval on Plan of IntraLATA Toll Dialing Parity, was served via overnight delivery to all parties on the attached service list on December 19, 1996.


Paulette Bannack

Subscribed and Sworn to
me before this 19th day
of December, 1996


Notary Public
"OFFICIAL SEAL"
Margaret M. Phucinsky
Notary Public, State of Illinois
My Commission Expires 05/11/99

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December 20, 1996

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Ms. Dorothy Wideman
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Michigan Public Service Commission
6545 Mercantile Way
P. O. Box 30221
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Re: Responses to Ameritech Michigan's December 16, 1996 Submission in MPSC
Case No. U-11104

Dear Ms. Wideman:

This letter is to confirm our earlier telephone conversation where we discussed that interested parties have 14 business days to respond to Ameritech Michigan's submission filed on December 16, 1996. You confirmed that the Commission will be closed December 24, December 25, December 31 and January 1, and that these days would not be considered as business days. As a result, our response to Ameritech Michigan's filing will be due January 9, 1997. If this is inconsistent with your interpretation of the Commission's Order, please advise.

Very truly yours,

Fraser Trebilcock Davis & Foster, P.C.



Michael S. Ashton

MSA/klw

cc: Parties of Record

DEC 30 1996 PVL

DEC 23 1996



444 Michigan Avenue
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Craig A. Anderson
Counsel

December 27, 1996

Ms. Dorothy Wideman
Executive Secretary
Michigan Public Service Commission
P.O. Box 30221
Lansing, MI 48909

MICHIGAN PUBLIC SERVICE
FILED

DEC 27 1996

COMMISSION

Re: MPSC Case No. U-11104.

Dear Ms. Wideman:

Enclosed for filing in the above-referenced case is an original and fifteen copies of the Ameritech Michigan's Submission of Information Requested by Staff.

Very truly yours,

Craig A. Anderson
(2)

Enclosure

cc: All Parties of Record

CAA:jkt

STATE OF MICHIGAN

MICHIGAN PUBLIC SERVICE
FILED

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

DEC 27 1996

In the matter, on the Commission's own motion,)
to consider Ameritech Michigan's compliance)
with the competitive checklist in Section 271)
of the Telecommunications Act of 1996.)

COMMISSION
Case No. U-11104

**AMERITECH MICHIGAN'S SUBMISSION OF
INFORMATION REQUESTED BY STAFF**

On December 19, 1996, the Michigan Public Service Commission Staff (Staff) submitted comments regarding Ameritech Michigan's November 27, 1996 compliance filing and request for approval of plan on intraLATA toll dialing parity. In those comments, Staff requested that Ameritech Michigan submit additional information on certain issues identified by Staff within 7 days so that the record would be complete. (Staff Comments, p. 12) As requested by Staff, Ameritech Michigan submits the following additional information.

**I. EXCHANGES IN WHICH COMPETITORS
ARE USING LOCAL DIALING PARITY**

In its comments, Staff states:

"The exchanges in which a licensed competitor is actually providing service and therefore availing itself of local dialing parity and associated operations has not been specified by Ameritech Michigan." (Staff Comments, p. 3)

In response to Staff's inquiry, Ameritech Michigan can provide the following additional information: (i) a listing of those exchanges in which competitors who are interconnected with Ameritech Michigan are licensed to provide service (see Schedule A); and (ii) those exchanges where licensed interconnected competitors have purchased (or have pending requests to purchase)

unbundled loops, colocation, or have established end office integration (EOI) trunks (see Schedule B).

Ameritech Michigan would not, however, necessarily know in which exchanges a licensed competitor is actually providing services and therefore availing itself of local dialing parity because those competitors may, for example, be interconnected at a tandem switch serving numerous end offices and actually providing service to end users via their own switching and loop facilities.

As indicated in Ameritech Michigan's original filing, and as recognized by Staff, local dialing parity is currently available state-wide. However, the attached Schedules A and B specify those exchanges or wire centers in which competitors are or may be actually providing service, and therefore, are availing themselves of local dialing parity.

II. COMPLIANCE WITH OTHER REQUIREMENTS

Staff's comments also state as follows:

"... Ameritech Michigan's filing has not addressed compliance with the FCC requirements on these issues [access to telephone numbers, operator services, directory assistance, directory listings, and prohibition against unreasonable dialing delays] as specified in the FCC order. Until such information is provided, a specific determination cannot be made by this Commission regarding compliance." (Staff Comments, p. 4)

Initially, Ameritech Michigan would point out that the competitive checklist requirement in Section 271(c)(2)(B)(xii) of the federal Act relates only to **local dialing parity**:

"Nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement **local dialing parity** in accordance with the requirements of Section 251(b)(3)." (Emphasis added)

The FCC Rules specifically describe what constitutes local dialing parity:

"Local Dialing Parity

A LEC shall permit telephone exchange service customers within a local calling area to dial the same number of digits to make a local telephone call notwithstanding the identity of the customer's or the called party's telecommunications service provider." (47 CFR § 51.207)

This description of the requirement relating to local dialing parity is distinct from the requirements set by the FCC for toll dialing parity (47 CFR § 51.209).

Section 251(b)(3) of the Act goes beyond the requirements of the competitive checklist and establishes broader requirements relating not only to local dialing parity, but also to toll dialing parity and to nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listings. But the competitive checklist is limited to **local dialing parity**.

Because of the specific focus of the competitive checklist requirement on local dialing parity, Ameritech Michigan focused its original submission of information only on information relating to local dialing parity. However, subsequent to the November 27, 1996 filing by Ameritech Michigan concerning dialing parity, Ameritech Michigan submitted its responses to the rest of Attachment B, as requested by this Commission, relating to information on other aspects of the competitive checklist. See Ameritech Michigan's Submission of Information filed December 16, 1996. Specifically, Ameritech Michigan has submitted detailed information concerning compliance with the competitive checklist requirements for nondiscriminatory access to telephone numbers (See Attachment B, Question 9a), operator services (See Attachment B, Question 7c), directory assistance (See Attachment B, Question 7b), and directory listings (See Attachment B, Question 8d). Ameritech Michigan incorporates by reference the

information submitted in its December 16, 1996 filing relating to these issues in response to Staff's request for additional information.

In addition, Ameritech Michigan provides the following additional information concerning the relationship between local dialing parity and the other issues identified by Staff.

Section 251(b)(3) of the Act permits all competing providers to have nondiscriminatory access, with no unreasonable dialing delays, to operator services and directory assistance, the two dialable services referred to in Section 251(b)(3). Ameritech Michigan makes its directory assistance and operator services available to competing providers of local exchange service if those providers choose to use Ameritech Michigan's operator services or directory assistance services rather than provide their own or contract with another source. When a facilities-based provider contracts with Ameritech Michigan to use Ameritech Michigan's directory assistance or operator services, that competing provider is able to offer directory assistance and operator services to its end users with no unreasonable dialing delays, at least to the extent that the call is handled within Ameritech Michigan's network, and the competing carrier is capable of programming its switch to route traffic to Ameritech Michigan's service using the same codes (e.g., 0, 00, 411, or 555-XXXX) used by Ameritech Michigan. In the situation involving a competing provider that is offering local exchange service to its end users via the resale of Ameritech Michigan's local exchange service, that competing provider's end user customers are able to access directory assistance and operator services in exactly the same manner as all of Ameritech Michigan's local exchange end user customers with no unreasonable dialing delays using the same access codes as any retail customer.

The FCC found that the prohibition in Section 251(b)(3) against "unreasonable dialing delays" applied to the requirement for local dialing parity, as

well as to operator services and directory assistance. (Second Report and Order, ¶ 156) The FCC determined that the dialing delay experienced by customers of a competing provider should not be greater than that experienced by the customers of the LEC providing dialing parity or nondiscriminatory access for identical calls and call types. The FCC also concluded that LECs such as Ameritech Michigan have a duty to process all calls from competing providers, including calls to the LEC's operator services and directory assistance, on an equal basis as calls originating from customers of the providing LEC. (¶ 159)

Calls to and from competitors' networks are not subject to any unreasonable dialing delay in Michigan. As described in detail in Ameritech Michigan's original November 27, 1996 filing and in the affidavits of John Mayer (¶ 30-36, pp. 8-9) and Gregory Dunny (¶ 136-144, pp. 65-68) submitted with Ameritech Michigan's December 16, 1996 filing, calls originating from a competitor's network are treated in Ameritech Michigan's network the same as a call originating from within Ameritech Michigan's network, because the network does not and is not capable of distinguishing between such calls.

The FCC, in the Second Report and Order, specifically rejected various proposals to measure the extent of dialing delay (¶ 162) and recognized instead that in the event a dispute arises between a competing carrier and a providing LEC as to dialing delay, the burden would be on the providing LEC to demonstrate with specificity that it has processed the call on terms equal to that of similar calls originating from its own customers. (¶ 161; see also 47 CFR § 51.217(e)) However, in addressing the issue of unreasonable dialing delays, the FCC recognized that LECs can only be responsible for delays within their control. (See ¶ 160, 162) Because of the nature of the interconnection arrangements established with competing providers and the means by which calls are handled within Ameritech Michigan's network, as described more fully in Ameritech Michigan's prior filings in